

EXPRESS MAIL LABEL NO. EL953456091US



PATENT
Atty. Docket No. INK-006
(2108/13)

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#22
Bill
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Albert *et al.*

SERIAL NUMBER: 09/140,862

ART UNIT: 2673

FILING DATE: August 27, 1998

EXAMINER: David L. Lewis

TITLE: Color Electrophoretic Displays

REQUEST FOR REINSTATEMENT OF THE APPEAL
UNDER 37 C.F.R. § 1.193(b)(2)(ii)

Commissioner of Patents and Trademarks
Washington, D.C. 20231


Sir:

In response to the Office Communication of December 4, 2001, Applicants hereby request reinstatement of the appeal for United States Patent Application Serial No. 09/140,862. A Notice of Appeal was filed on June 11, 2001, for this application and an Appeal Brief was filed on September 12, 2001.

Filed concurrently herewith is a Supplemental Appeal Brief.

Respectfully submitted,

Date: June 4, 2002
Reg. No. 47,411
Tel. No. (617) 248-7102
Fax No. (617) 248-7100

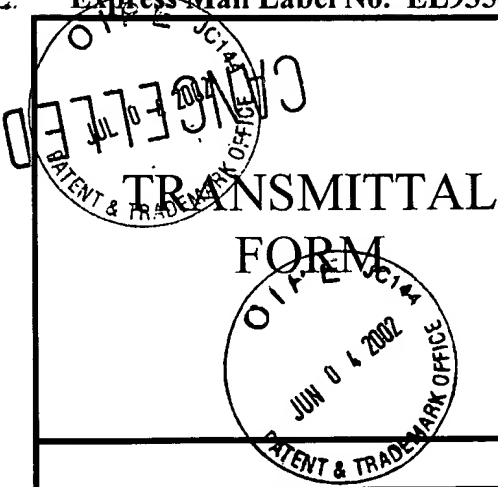

Michael J. Bastian
Attorney for Appellants
Testa, Hurwitz, & Thibeault, LLP
High Street Tower
125 High Street
Boston, MA 02110

bastian2108/13.2383698-1

Express Mail Label No. EL935456091US

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\$175 2700



Application Serial Number	09/140,862
Filing Date	August 27, 1998
First Named Inventor	Albert et al.
Group Art Unit	2673
Examiner Name	Lewis, D.
Attorney Docket No.	INK-006
BATCH NO. (after allowance)	Not applicable
Patent No.	Not applicable
Issue Date	Not applicable

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ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input checked="" type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input checked="" type="checkbox"/> Supplemental Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) <input checked="" type="checkbox"/> Exhibits A-D (in triplicate) <input checked="" type="checkbox"/> Request for Reinstatement of Appeal Under 37 C.F.R. § 1.193(b)(2)(ii)
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CORRESPONDENCE ADDRESS

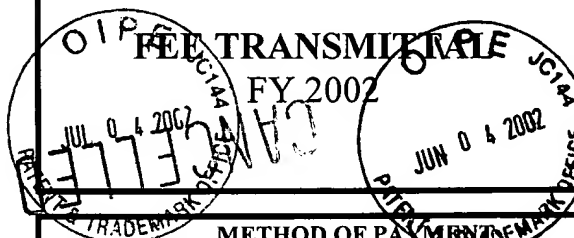
Direct all correspondence to: Patent Administrator
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Respectfully submitted,

 Date: June 4, 2002
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 Michael J. Bastian
 Attorney for Applicant(s)
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Complete if Known

Application Serial Number	09/140,862
Filing Date	August 27, 1998
First Named Inventor	Albert et al.
Group Art Unit	2673
Examiner Name	David L. Lewis
Attorney Docket No.	INK-006

METHOD OF PAYMENT

1. ☒ Payment Enclosed:
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.
☐ Required Fees (copy of this sheet enclosed).
☒ Additional fee required under 37 CFR 1.16 and 1.17.
☒ Overpayment Credit.
3. ☒ Applicant claims small entity status.

FEE CALCULATION

1. FILING FEE

Large Entity

Fee (\$)	Fee Description	Fee Paid
740	Utility filing fee	
330	Design filing fee	
160	Provisional filing fee	

Number Filed	Number Extra	Rate	Amount
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Total Claims - 20 = x \$ 18.00 =

Independent Claims - 3 = x \$ 84.00 =

☐ Multiple Dependent Claim(s), if any \$280.00 =

TOTAL:

SMALL ENTITY DISCOUNT:

SUBTOTAL (1)	(\$)	0.00
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2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
Total	-	=	x \$ 18.00 =	
Indep.	-	=	x \$ 84.00 =	
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$280.00 =	

TOTAL: (\$)

SMALL ENTITY DISCOUNT: (\$)

SUBTOTAL (2)	(\$)	0.00
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FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	
920	460	Extension for reply within third month	460.00
1440	720	Extension for reply within fourth month	
1960	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	
740	370	Filing a submission after final rejection (37 CFR 1.129(a))	
740	370	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	
Other fee (Specify)			
Other fee (Specify)			

SUBTOTAL (3)	(\$)	460.00
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SUBTOTAL (1)	0.00
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SUBTOTAL (2)	0.00
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SUBTOTAL (3)	460.00
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TOTAL	(\$)	460.00
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CORRESPONDENCE ADDRESS

Direct all correspondence to:
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Respectfully submitted,

 Date: June 4, 2002
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